IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITON NO.929 OF 2006

Ghadinglaj Taluka Sahakari Sakhar Karkharkhana Ltd. ..Petitioner.

V/s.

Rahul Bacharam Mohite & Ors. ..Respondents.

Mr.S.S. Patwardhan for petitioner.

Mr.K.S.Bapat i/b.Jayesh K,Desai for respondents.

CORAM : V.C.DAGA, J.

DATED : 29TH MARCH, 2006.

P.C. :-

. Heard the learned counsel for the petitioner. The petitioner contents that the case of the employer is that the respondents workmen have abandoned its service. In the case of abandonment, employer was expected to follow the law laid down by the Apex Court in the case of **M/s.Scooters India Ltd. V/s. M.Mohmmed Taqub & Anr.** reported in **A.I.R. 2001 Supreme Court 227** page 11.

2. Since there is no compliance of the above law laid down by the Apex Court, the view taken by the Court below is a reasonable and possible view. The impugned order by no stretch of imagination can be said to a perverse order. This Court not being a Court of appeal is not expected to substitute the view in place of the view taken by the the Courts below.

3. In the result, this petition is devoid of any substance. The same is dismissed in limine with no order as to costs.

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